



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

LHE:GK/JRS/DL
F. #2018R01401

*271 Cadman Plaza East
Brooklyn, New York 11201*

July 20, 2023

By Email and ECF

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Counsel for Rachel Cherwitz

Counsel for Nicole Daedone

Re: United States v. Rachel Cherwitz and Nicole Daedone
Criminal Docket No. 23-146 (DG)

Dear Counsel:

Enclosed please find the government's discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure. This discovery is being produced to you pursuant to the Protective Order in the above-captioned matter, entered on June 26, 2023. ECF Dkt. No. 26. The records herein were provided by an individual identified as Individual #1, whose identity was previously disclosed to counsel.

The production includes the following materials:

- Videos and video editing files related to OneTaste courses, a subset of which contain statements of either one or both defendants (ONETASTE00012862 – ONETASTE00013113);

- Videos and video editing files related to Nicole Daedone Intensives and related events, a subset of which contain statements of either one or both defendants (ONETASTE00013114 – ONETASTE00013182);
- Videos and video editing files related to OneTaste publicity and sales, a subset of which contain statements of either one or both defendants (ONETASTE00013182 – ONETASTE00013224); and
- Videos and video editing files related to other OneTaste offerings and events, a subset of which contain statements of either one or both defendants (ONETASTE00013225 – ONETASTE00013266).

Please contact DupeCoop at dupecoop@mac.com and reference the above-captioned case to obtain a copy of the discovery.

You may examine physical evidence discoverable under Rule 16, including original documents, by calling me to arrange a mutually convenient time.

The government renews its request for reciprocal discovery from the defendants. Please note that the defendants' obligations under Fed. R. Crim. P. 16(b) include identification of "all non-impeachment exhibits [the defendants] intend to use in their defense at trial, whether the exhibits will be introduced through a government witness or a witness called by a Defendant." United States v. Napout, No. 15-CR-252 (PKC), 2017 WL 6375729, at *7 (E.D.N.Y. Dec. 12, 2017); accord United States v. Smothers, No. 20-CR-213 (KAM), 2023 WL 348870, at *22 (E.D.N.Y. Jan. 20, 2023).

If you have any questions or requests regarding further discovery or a disposition of this matter, please do not hesitate to contact us.

Very truly yours,

BREON PEACE
United States Attorney

By: /s/ Lauren H. Elbert
Lauren H. Elbert
Gillian Kassner
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Enclosures

cc: Clerk of the Court (DG) (by ECF) (without enclosures)